

I. SUMMARY OF PROPOSAL

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- Request:** A Type III Major Modification to an existing Conditional Use, a Type I Site Design Review and a Type I Director’s Determination
- Location:** 615 N College Street
- Property ID:** R3218DD 02900
- Site Size:** 7,063 sq. ft.
- Zoning:** R2 (Medium Density Residential)
- Overlays:** None

Summary: For the past 32 years, the existing building located on the site has been functioning as a low-barrier shelter facility for households experiencing homelessness in Yamhill County. The current proposal is it to make minor renovations to the facility to increase bed capacity by 9 beds, for a total capacity of 24 beds. To accommodate these extra beds and improve ADA accessibility, interior changes will be made to the existing home. Additionally, a new approximately 2,500 square foot (sq ft) modular structure will be added on the west side of the site to move all administration and office functions out of the house, and to expand the services provided to clients and increase on site support. The modular structure will provide two private consultation rooms and a meeting room that can be used for counseling, case management, clinical appointments, etc. and will be utilized by staff, community partners, and volunteers.

The amount of minimum required parking for an emergency/transitional shelter is not specifically listed in the Newberg Municipal Code, therefore, a Director’s Determination is required to determine the parking requirements for this site.

Pre-Application Conference: A Pre-Application Meeting with the City of Newberg was held on January 11, 2023, under application PRE22-0041.

II. EXISTING CONDITIONS

SITE CHARACTERISTICS

Vicinity. The site is located on the southwest corner of the intersection of College Street and Vermillion Street. College Street, also known as Highway 219, leads south into downtown Newberg. North of the property is the railroad right-of-way. South and east of the property is generally single-family residential homes. Northeast of the property is a small industrial building. Directly north of the property is a vacant lot.

Site Description. The site consists of an approximately 3,300-sq ft, two-story residential structure. Northwest of the house is a paved driveway that measures 18 feet by 40 feet with access onto Vermillion Street that provides on-site parking for 4 vehicles. Lawn, trees, and ornamental landscaping surround the house. The rear yard has a small patio, and the backyard is enclosed by a wooden fence.

Zoning. The zoning of the property is R2 (Medium Density Residential). Community Services uses require a Conditional Use in the R2 zone.

Previous Land Use History. There is a previous land use case on this site relevant to this application:

- **CUP-2-90:** A Conditional Use approval for the operation of a homeless shelter on the property. The review was for 15 beds and one additional bed for a live-in manager. The Conditional Use was approved with three conditions of approval that still apply to the site. The first condition required a 10-foot-wide landscaping buffer between the parking area and the property line to the west. The second condition of approval required that the width of the parking area on Vermillion be no more than 40 feet wide, with the rest of the front yard remaining as landscaping. The final condition of approval required a parking and landscaping plan be submitted to the City. All these conditions will continue to be met with this proposal, though it should be noted that there is currently a small shed in the west setback that will be removed with this proposal.

SITE OPERATIONS

Yamhill Community Action Partnership’s Mission Statement.

YCAP’s mission is “To advocate for people in need by providing access to resources and tools to strengthen communities in Yamhill County.”

The Yamhill Community Action Partnership (YCAP) was founded in 1980 as part of a nationwide network of social service agencies designed to strengthen communities and help improve the lives of low-income people. They assist the residents of Yamhill County, diligently focusing on four primary service categories: Housing Stabilization, Energy Services, the regional Food Bank, and Youth Services.

Housing Stabilization assists hundreds of individuals and families annually with transitional shelter, stable housing searches, rental assistance, emergency financial support, case management and resource referral, among other services.

Current Operations. The YCAP facility currently provides 15 beds for individuals plus one bed for a live-in manager. In addition to nightly shelter, the current evening programming offers weekly behavioral health and physician clinic hours, nightly meals, and AA and NA classes between the hours of 7:30pm-8:00am. This location also serves as an inclement weather site when the temperatures and conditions become dangerous to an already vulnerable population. On average, the current staff operating the shelter turn away approximately 14-16 people each night due to a lack of bed availability.

Within the existing house there is only a very small office area dedicated to staff and operations of the facility. This lack of office space limits the services that can be provided to individuals.

YCAP helps individuals and families move from homelessness into housing by creating a path that is individually suited to everyone they help. While lack of financial resources plays a significant role, other barriers to housing can be just as important. For example, women fleeing domestic violence often do not have access to past rental histories, which can result in their being denied an apartment even if they have a good paying job. Veterans can be unaware of the resources which they earned through their service. For many, a lack of current identification bars access to steady jobs, apartments, and other services.

In addition to these hurdles, some individuals can have more complex barriers such as physical or mental health, disability, substance use, and justice involvement. YCAP case managers work with individuals and families to assess their barriers to stable housing and then develop a plan with them to move forward. The services required may be offered by a partner agency instead of YCAP, and the case manager will make referrals to those agencies while continuing to work with the individuals.

III. PROPOSED PLAN

PROPOSED PLAN

Project Overview. YCAP is proposing to make minor renovations to the shelter facility and add a modular unit onto the site in order to increase bed capacity from 16 beds to 24 beds. The new approximately 2,600 square foot modular structure will be added on the west side of the site and will include two private consultation rooms and a meeting room that can be used for counseling, case management, clinical appointments, etc. and will be utilized by staff, community partners, and volunteers.

The proposed addition of a modular unit on the existing site will not only free up space in the house to add the additional shelter beds but will also allow YCAP to increase the services provided at the site. YCAP recently received a grant from the state to upgrade this shelter with the agreement that “navigation services” be added. These services include assistance with various housing and supportive programs. Households will have a needs assessment completed by an onsite service provider and connections will be made to appropriate programs. Classes will be provided on renting, life skills, job search, etc. Additionally, wellness checks for mental health and medical checkups will be offered. To be in compliance with this grant, the upgrade of the shelter has to be operational by June 30, 2023.

The transition of YCAP’s shelter to a navigation center will enable case managers and partner agencies to work more closely with people who are unhoused to help move them into stable housing faster. Through YCAP’s work in other cities in Yamhill County, they have found that only about 25% of individuals who participate in night-by-night sheltering typically move into stable housing, but when wrap-around services

such as easy access to case managers and partner agencies has been provided on the shelter site, YCAP has been able to move 70% of individuals into stable housing.

As part of these additional services, YCAP anticipates having staff on the site. Currently YCAP does not maintain a presence on the site. Nightly shelter services have recently been provided by Newberg Emergency Shelter (NES) and the Community Wellness Collective (CWC). NES and CWC have typically had a total of 2-3 part-time staff on site from 8:30pm-8:00am, and occasionally during day-time hours when inclement weather needs arise. With the additional services, YCAP anticipates the following staffing: 5 daytime staff with limited hours to start, 3 early-evening staff when sheltering begins (between 5:00pm-9:00pm) and 2 overnight staff (9:00pm-9:00am). This equates to roughly 11 staff on-site in a 24 hour period. It is anticipated that the majority of these staff members will park in the existing driveway on the site, which provides 4 standard sized parking spaces (9' by 18'). Additionally, on-street parking is available on Vermillion Street on both sides of the intersection with College Street.

No signs exist on the site or are proposed with this project.

DEVELOPMENT STANDARDS

15.410.020 - Front Yard Setback. *The R-2 district shall have a front yard of not less than 15 feet. The entrance to a garage or carport shall be setback at least 20 feet from the nearest property line of the street.*

Response: The existing house meets this standard on both College Street and Vermillion Street. The new modular building will be setback 25 feet from the Vermillion Street property line, so it will also meet this standard. There is no existing or proposed garage or carport on the site, so this standard does not apply.

15.410.030 – Interior Yard Setback. *All lots or development sites in the R-2 district shall have interior yards of not less than five feet.*

Response: The existing house meets this standard on both the south and west property lines. The new modular building will be setback 20 feet from the south property line and 5 feet from the west property line, so it will also meet this standard.

15.410.060 - Vision Clearance Setback. *At the intersection of two streets, including private streets, a triangle formed by the intersection of the curb lines, each leg of the vision clearance triangle shall be a minimum of 50 feet in length. Vision clearance triangles shall be kept free of all visual obstructions from two and one-half feet to nine feet above the curb line.*

Response: The existing development on the site maintains the vision clearance setback, and no new development is proposed in this area with this proposal.

15.415.020 - Building Height Limitation. *In the R-2 district no main building shall exceed 35 feet in height. Accessory buildings in the R-2 district are limited to 16 feet in height.*

Response: The existing house meets this standard and no additions to this building are proposed. The new modular building is proposed to be 12'5" tall and therefore meets this standard.

15.415.040 Public Access Required. *No building or structure shall be erected or altered except on a lot fronting or abutting on a public street...*

Response: The site has access to both College Street and Vermillion Street so this standard is met.

15.420.010 Required Minimum Landscape Standards.

A. *Private Areas. Each ground-level living unit in a residential development subject to a design review plan approval shall have an accessible outdoor private space of not less than 48 square feet in area. The area shall be enclosed, screened or otherwise designed to provide increased privacy for unit residents, their guests and neighbors.*

Response: The back yard of the existing residence includes a patio space that is over 48 square feet in area. This area is enclosed with a fence to provide privacy.

B. *Required Landscaped Area.*

1. *A minimum of 15 percent of the lot area shall be landscaped.*

Response: The lot exceeds this standard, with approximately 20% of the lot area as landscaping after the modular building is placed on site.

3. *The following landscape requirements shall apply to the parking and loading areas:*

a. *A parking or loading area providing 10 or more spaces shall be improved with defined landscaped areas totaling no less than 25 square feet per parking space.*

Response: The parking area on the site only contains 4 spaces so this standard does not apply.

b. *A parking, loading area, or drive aisle which runs adjacent to a property line shall be separate from any lot line adjacent to a street by a landscaped strip at least 10 feet in interior width or the width of the required yard, whichever is greater, and any other lot line by a landscaped strip of at least five feet in interior width.*

Response: The existing landscape buffer between the asphalt parking area and the property line to the west is 10 feet wide.

d. *A landscaped strip separating a parking area, loading area, or drive aisle from an interior lot line shall contain any combination of trees, shrubs, ground cover or lawn. Plant material shall be selected from at least two different plant material groups (example: trees and shrubs, or lawn and shrubs, or lawn and trees and shrubs).*

Response: The landscape buffer west of the parking area is currently planted with ground cover and one shrub. It is anticipated that YCAP will replant this buffer to meet the requirements of the condition of approval (10 foot wide buffer) from the previous Conditional Use after construction on the site is completed.

4. *Trees, Shrubs and Ground Covers.*

c. *Accent Trees. Accent trees are trees such as flowering cherry, flowering plum, crab-apple, Hawthorne and the like. These trees shall have a minimum one and one-half inch caliper tree trunk or stalk and shall be at least eight to 10 feet in height. These trees may be planted bare root or balled and burlapped. The spacing of these trees should be approximately 25 to 30 feet on center.*

d. *All broad-leafed evergreen shrubs and deciduous shrubs shall have a minimum height of 12 to 15 inches and shall be balled and burlapped or come from a two-gallon can. Gallon-can size shrubs will not be allowed except in ground covers. Larger sizes of shrubs may be required in special areas and locations as specified by the design review board. Spacing of these shrubs shall be typical for the variety, three to eight feet, and shall be identified on the landscape planting plan.*

e. *Ground Cover Plant Material. Ground cover plant material such as greening juniper, cotoneaster, minor Bowles, English ivy, hypericum and the like shall be one of the following sizes in specified spacing for that size:*

Gallon cans	3 feet on center
4" containers	2 feet on center
2-1/4" containers	18" on center
Rooted cuttings	12" on center

Response: No new landscaping is anticipated to be required for this project. All landscaping on site are mature plantings.

5. *Automatic, underground irrigation systems shall be provided for all areas required to be planted by this section. The director shall retain the flexibility to allow a combination of irrigated and non-irrigated areas.*

Response: The landscaping on site is watered by hand. The size of the site and the amount of landscaping does not warrant an irrigation system.

6. *Required landscaping shall be continuously maintained.*

Response: YCAP intends to continue maintaining the existing landscaping on the site.

15.425.040 – Exterior Lighting.

A. General Requirements – All Zoning Districts.

1. *Low-level light fixtures include exterior lights which are installed between ground level and six feet tall. Low-level light fixtures are considered nonintrusive and are unrestricted by this code.*
2. *Medium-level light fixtures include exterior lights which are installed between six feet and 15 feet above ground level. Medium-level light fixtures must either comply with the shielding requirements of subsection (B) of this section, or the applicant shall show that light trespass from a property has been designed not to exceed one-half foot-candle at the property line.*
3. *High-level light fixtures include exterior lights which are installed 15 feet or more above ground level. High-level light fixtures must comply with the shielding requirements of subsection (B) of this section, and light trespass from a property may not exceed one-half foot-candle at the property line.*

Response: The existing exterior lighting on the site is located at each exterior door to the house and on the northwest corner of the house, lighting the parking area. These fixtures are adequate to light the site, and do not create any light trespass onto neighboring properties.

15.435 – Signs.

Response: No signs exist or are proposed on this site.

15.440.030 - Parking Spaces Required.

Response: The amount of minimum required parking for an emergency/transitional shelter is not specifically listed in the Newberg Municipal Code, therefore, a Director’s Determination is required to determine the parking requirements for this site. The following information is provided to assist the director in determining the appropriate parking requirements for this site:

- **Number of employees:** YCAP anticipates that when the new services are fully operational there will be 5 part-time daytime staff with limited hours between 9:00 am and 5:00 pm, 3 early-evening staff when sheltering begins (between 5:00pm-9:00pm) and 2 overnight staff (9:00pm-9:00am). This equates to roughly 11 staff on-site in a 24-hour period, with the greatest number of employees on-site at one time being roughly 6. Staff will generally drive to the site. Parking for the staff is provided with the 4 parking spaces that exist on the site. If additional staff are present they could park in the portion of the driveway that is located in the right-of-way, in tandem with the cars parked on-site in the driveway, providing the potential for 8 parking spaces. These

tandem spaces will work because the operation is quite small, and all staff will be nearby to let each other out of the parking spaces if they are parked in. Additionally, on-street parking is available on Vermillion Street on both sides of the intersection with College Street.

- **Parking for clients:** It is very rare for the individuals and families served by YCAP to own a vehicle. The vast majority of the clients arrive to the site on foot, by bicycle or via public transportation. In the rare instance that a client does arrive by private vehicle there is on-street parking available to accommodate them. Any parking for clients would occur in the evening/nighttime hours.
- **Bicycle parking:** Although there is no formal bike parking on the site, bicycles can be stored in the backyard of the facility which is securely fenced. YCAP also intends to add a bicycle rack to the site with the modular building where guest will be able to secure their bikes.
- **Nearby bus stops:** There are no bus stops located within ¼ mile of the site.
- **Pick up/drop off, or other occasional parking needs:** Currently cleaning of the facility is complete by on-site staff. YCAP is considering using a janitorial service for a weekly deep clean. If this occurs, the cleaning staff would likely be on the site for 2-3 hours during the daytime and would be able to park on the street. A weekly medical clinic currently occurs on site on Thursday evenings, with the expanded services this will be rescheduled to the daytime and split between behavioral health and general health to two different weekdays. These services required 2-3 staff members for a couple of hours and parking on the street can also accommodate this occasional use.
- **Peak parking load:** The peak parking load for the site will occur during the daytime, when highest number of staff will be on shift. YCAP is planning for 5 part-time staff members during the day. Generally, these staff will not all be on the site at the same time since they will all be providing limited services or will be working at other locations as well as this shelter. Occasionally these staff members may all attend a meeting on the site at the same time. Additionally, these staff members could overlap with the evening staff. Therefore, it is anticipated that the peak parking load would be 6 spaces, occurring either at the start of the day or in the late afternoon/early evening. Because the area surrounding the site is primarily residential the peak parking hours for the neighborhood would be during nights and on weekends. As such, the peak parking needs of the shelter will occur opposite of the peak parking needs of the residential neighborhood assuring that there will be adequate on-street parking when the peak parking need for the shelter occurs.
- **Other:** YCAP is purchasing two vehicles to use between both of their navigation centers (Newberg and McMinnville) that will be used to pick up and transport clients to the facility. These cars will be stored at the McMinnville main office. The vehicles are intended to provide people with RV's and/or clients living out of their cars access to the shelter and services without them bringing over-sized vehicles to the shelter.

This shelter has been operational on this site since 1990, so YCAP has a good understanding of the parking needs of their clients and can extrapolate this knowledge to anticipate the future parking needs of their clients once the shelter expands. Therefore, they feel confident that the 4 on-site parking spaces plus the available on-street parking is adequate to serve the needs of the shelter without causing impacts or spillover into the surrounding neighborhood.

It should be noted that recently adopted State rules (OAR 660-012-0430(3)g) eliminated parking for all emergency and transitional shelters in the metropolitan areas. This rule change recognizes that most individuals using emergency shelters do not own a vehicle, therefore removing this potential barrier to building and expanding a shelter would help get more of these critically needed facilities operational faster.

The parking layout does not meet all of the layout the standards of 15.440, but if no additional parking is required for the site, then no changes to the existing parking on the site would be proposed, and this existing non-conforming situation could continue.

15.440.100 - Bicycle Parking Facility Requirements.

Response: Shelters are not listed as a use that requires any bicycle parking. No bike parking exists or is proposed on the site.

15.440.130 - Private Walkways. *Private walkways shall be constructed as part of any development requiring Type II design review.*

Response: Walkways exists that connect both of the adjacent public streets to the front entrance of the home.

15.440.140 - Private walkway design.

- A. *All required private walkways shall meet the applicable building code and Americans with Disabilities Act requirements.*
- B. *Required private walkways shall be a minimum of four feet wide.*
- C. *Required private walkways shall be constructed of portland cement concrete or brick.*
- D. *Crosswalks crossing service drives shall, at a minimum, be painted on the asphalt or clearly marked with contrasting paving materials or humps/raised crossings. If painted striping is used, it should consist of thermoplastic striping or similar type of durable application.*
- E. *At a minimum, required private walkways shall connect each main pedestrian building entrance to each abutting public street and to each other.*

Response: The existing walkways are 4 feet wide and constructed of concrete. The walkways connect the main building entrance to both College Street and Vermillion Street. Both walkways are ADA compliant and neither walkway crosses over a service drive.

VI. LEGAL JUSTIFICATION

CONDITIONAL USE CRITERIA

The purpose of this section is to provide the legal justification for the requested Conditional Use as governed by Section 15.225.060 of the Development Code. A conditional use permit may be granted only if the proposal conforms to all the following criteria:

- A. *The location, size, design and operating characteristics of the proposed development are such that it can be made reasonably compatible with and have minimal impact on the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage and density; to the availability of public facilities and utilities; to the generation of traffic and the capacity of surrounding streets, and to any other relevant impact of the development.*

Response: The proposed changes to the YCAP facility will have minimal impact on the livability of the surrounding neighborhood. The site has been used as an emergency shelter since 1990 when the original Conditional Use was approved. Since that time the visual character of the property has remained residential, with the house looking like any other house in the neighborhood. Likewise, the services provided have not had any negative impacts on the surrounding properties since the facility is well-maintained and the individuals and families using the facility are asked to respect the neighbors in terms of noise, trash, and other potential nuisances.

The addition of the modular building to the site will allow a modest increase in the intensity of the use by expanding the facility by 8 beds, but it is not anticipated that this change will create significantly more impacts to the neighborhood. More importantly, the addition of the modular building allows YCAP to provide the much-needed “navigation services” to serve their clients. Providing these services at other facilities has greatly increased the number of individuals and families who successfully transition out of the shelter and into permanent housing. Adding this office space to the site will allow YCAP staff to be on site monitoring activities, which will help assure that the increase in capacity of the shelter will not result in any additional disturbance to neighboring properties.

The new modular building is designed to be compatible with the existing house in terms of size, height, and bulk. It will be finished with residential detailing including the siding, window size, placement and trim, and roof slope. The modular building will be set further back from Vermillion than the existing house, so it will not dominate the appearance of the property from the public street. From College Street it will not be visible since it will be screened by the existing house. The placement of the modular building will meet all applicable setback standards of the R2 zone and will still allow the site to meet the minimum required landscaping percentage using the existing, mature landscaping that will remain on the site. No trees will be removed from the site to place the new building.

All necessary public facilities and utilities are available to serve the use. The existing house is connected to both the public sewer and public water lines and the new modular building will tie into these connections. Stormwater for the new impervious surface of the modular building will be handled on site. The site is served by two public street that are both partially improved, however, the increased capacity of the facility is not anticipated to generate a significant increase in traffic. The population served by the shelter generally have very low rates of automobile ownership, so most reach the facility by other modes of transportation. The increase in staff on the site will add a small number of trips to and from the site, but based this should be fewer that 12 trips per day. Parking for the additional staff members can easily be accommodated in the parking available on site or using the ample on-street parking on the adjacent streets.

As shown, the impacts of the expanded use will be minimal and will not decrease the livability of the surrounding neighborhood. This criterion is met.

- B. The location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping or civic environment, and will be as attractive as the nature of the use and its location and setting warrants.*

Response: The location and design of the new modular building will be compatible with the residential appearance on the surrounding neighborhood. The building will be finished with residential style details that will make it more attractive, given its location in a residential neighborhood. The location of the building will assure that it will not dominate the appearance of the site since it will be tucked behind the house and setback further than the house on Vermillion Street. This criterion is met.

- C. The proposed development will be consistent with this code.*

Response: As shown in the Development Standards in Section III of this report the proposed project is consistent with the applicable standards of the Development Code and this criterion is met.

DESIGN REVIEW CRITERIA

The purpose of this section is to provide the legal justification for the requested Design Review as governed by Section 15.220.050 of the Development Code. To approve the Design Review the following criteria must be met:

1. *Parking. Parking areas shall meet the requirements of NMC 15.440.010.*

Response: As shown in Section III of this report no additional parking stalls are required for this project. The existing parking on the site is non-conforming with respect to some of the layout standards of 15.440, however, this parking is existing, and no changes are proposed it, so it may remain non-conforming. This criterion is met.

2. *Setbacks and General Requirements. The proposal shall comply with NMC 15.415.010 through 15.415.060 dealing with height restrictions and public access; and NMC 15.405.010 through 15.405.040 and 15.410.010 through 15.410.070 dealing with setbacks, coverage, vision clearance, and yard requirements.*

Response: As shown in Section III of this report, the existing house and the new modular building will comply with all applicable setback standards of the R2 zone. This criterion is met.

3. *Landscaping Requirements. The proposal shall comply with NMC 15.420.010 dealing with landscape requirements and landscape screening.*

Response: As shown in Section III of this report the existing and proposed landscaping on the site will comply with all applicable landscaping standards. This criterion is met.

4. *Signs. Signs shall comply with NMC 15.435.010 et seq. dealing with signs.*

Response: No signs are existing or proposed on the site, so this criterion does not apply.

5. *Zoning District Compliance. The proposed use shall be listed as a permitted or conditionally permitted use in the zoning district in which it is located as found in NMC 15.305.010 through 15.336.020.*

Response: The proposed Community Service use is listed as a conditional use in the R2 zone. A previously approved Conditional Use review allowed the emergency shelter in 1990, and this request is for an expansion of this use. This criterion is met.

6. *Sufficient Infrastructure. For all triplex dwellings, quadplex dwellings, townhouse dwellings and cottage cluster developments, the city shall work with the applicant to ensure that sufficient infrastructure will be provided, or can be provided, to include:*

- a. *Connection to a public wastewater system capable of meeting established service levels.*
- b. *Connection to a public water system capable of meeting established service levels.*
- c. *Access via public or private streets meeting adopted emergency vehicle access standards to a city's public street system.*
- d. *Storm drainage facilities capable of meeting established service levels for storm drainage.*

Response: The proposed use is not a triplex dwelling, quadplex dwelling, townhouse dwelling or cottage cluster development. However, sufficient infrastructure exists to serve the site. The existing house is already connected to public water and sewer, and the modular building will tie into these utilities. The site is served by two public streets (College Street and Vermillion Street) that allow emergency vehicle access. This criterion is met.

CONCLUSION

As shown in this report, the requested Conditional Use have been found to meet the approval criteria of Section 15.225.060 of the Development Code. The nominal increase of 8 beds will not have any impacts on the surrounding neighborhood. The existing parking on the site is adequate to serve the anticipated needs of the expanded staff and clients. The addition of the modular building will allow YCAP to provide critical needed services to their clients and will create a much higher rate of success in moving individuals and families into permanent housing. Therefore, this proposal should be approved.